

1 MICHAEL A. JACOBS (CA SBN 111664)  
2 MJacobs@mofo.com  
3 ARTURO J. GONZÁLEZ (CA SBN 121490)  
AGonzalez@mofo.com  
4 ERIC A. TATE (CA SBN 178719)  
ETate@mofo.com  
5 MORRISON & FOERSTER LLP  
425 Market Street  
6 San Francisco, California 94105-2482  
Telephone: 415.268.7000  
Facsimile: 415.268.7522

7 KAREN L. DUNN (*Pro Hac Vice*)  
kdunn@bsfllp.com  
8 HAMISH P.M. HUME (*Pro Hac Vice*)  
hhume@bsfllp.com  
9 BOIES SCHILLER FLEXNER LLP  
1401 New York Avenue, N.W.  
10 Washington DC 20005  
Telephone: 202.237.2727  
11 Facsimile: 202.237.6131

12 *Counsel for Defendants*  
UBER TECHNOLOGIES, INC.  
13 and OTTOMOTTO LLC

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN FRANCISCO DIVISION

17 WAYMO LLC,  
18 Plaintiff,  
19 v.  
20 UBER TECHNOLOGIES, INC.,  
OTTOMOTTO LLC; OTTO TRUCKING LLC,  
21 Defendants.  
22

Case No. 3:17-cv-00939-WHA

**DECLARATION OF MAXWELL V.  
PRITT IN SUPPORT OF  
DEFENDANTS UBER  
TECHNOLOGIES, INC.'S AND  
OTTOMOTTO, LLC'S MOTION TO  
COMPEL PRODUCTION OF  
DOCUMENTS**

Judge: Hon. Jacqueline Scott Corley  
Trial Date: October 10, 2017

1 I, Maxwell Pritt, declare as follows:

2 1. I am counsel at the law firm of Boies Schiller Flexner LLP representing  
3 Defendants Uber Technologies Inc. and Ottomotto LLC (collectively, “Uber”) in this matter. I  
4 am a member in good standing of the Bar of the State of California. I make this declaration in  
5 support of Uber’s Motion to Compel Production of Documents responsive to Requests Nos. 61,  
6 62, and 90-94. I make this declaration based on matters within my own personal knowledge and  
7 if called as a witness, I could and would competently testify to the matters set forth herein.

8 2. Attached as **Exhibit 1** is a true and correct copy of excerpts of Plaintiff Waymo  
9 LLC’s (“Waymo’s”) Objections and Responses to Uber’s First Set of Requests for Production of  
10 Documents (Nos. 1-149).

11 3. Attached as **Exhibit 2** is a true and correct copy of an email chain between Uber  
12 counsel Edward Takashima, Waymo counsel Melissa Baily, and Special Master John Cooper (the  
13 “Special Master”), among others, dated between June 30 and July 5, 2017, meeting and  
14 conferring on issues raised by Uber concerning Waymo’s responses to Uber’s first and second  
15 sets of Requests for Production of Documents (“RFPs”), including RFP Nos. 61, 62, 90-94, 96,  
16 and 97.

17 4. Attached as **Exhibit 3** is a true and correct copy of an email chain between myself,  
18 Waymo counsel Melissa Baily, and the Special Master, among others, dated between July 8 and  
19 July 24, 2017, meeting and conferring further about Waymo’s responses to RFP Nos. 61, 62, 90-  
20 94, 96, and 97.

21 5. The parties met and conferred by phone several times with the Special Master  
22 between July 1 and July 24, 2017, to discuss the issues raised in Mr. Takashima’s June 30 email  
23 and others, including the limitations Waymo imposed on RFPs Nos. 61, 62, 90-94, 96, and 97,  
24 and Waymo’s application of its general objection to Uber’s definition of “Waymo,” “Plaintiff,”  
25 “You,” and “Your,” to exclude searching for or producing responsive documents at Google or  
26 Alphabet (collectively, “Google”) in response to RFP Nos. 61, 62, and 90-94, among others.

27 6. Attached as **Exhibit 4** is a true and correct copy of an email chain between myself,  
28 Waymo counsel Melissa Baily, and the Special Master dated between July 7 and July 20, 2017,

continuing to meet and confer about Waymo's responses to RFP Nos. 61, 62, 90-94, 96, and 97.

7. Attached as **Exhibit 5** is a true and correct copy of excerpts of a spreadsheet, produced in this litigation by Waymo, bearing the bates number WAYMO-UBER-00031553 and titled “Full TaaS Oppty P&L”.

8. Attached as **Exhibit 6** is a true and correct copy of excerpts of a spreadsheet, produced in this litigation by Waymo, bearing the bates number WAYMO-UBER-00031804 and titled “Full TaaS Oppty P&L”.

9. Attached as **Exhibit 7** is a true and correct copy of an email chain between myself, Waymo counsel Jeff Nardinelli, and the Special Master, among others, dated July 8 and 24, 2017, meeting and conferring on further on Waymo's responses to RFP Nos. 61, 62, and 90-94, among other issues.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 26th day of July, 2017, in Oakland, California.

*/s/ Maxwell V. Pritt*

---

Maxwell V. Pritt

## ATTESTATION OF E-FILED SIGNATURE

I, Karen L. Dunn, am the ECF User whose ID and password are being used to file this Declaration. In compliance with General Order 45, X.B., I hereby attest that Maxwell V. Pritt has concurred in this filing.

/s/ *Karen L. Dunn*

---

Karen L. Dunn